

FORM PTO-1390  
(REV. 07-2005)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A  
FILING UNDER 35 U.S.C. 371**

34029/US/2

U.S. ACTION/TITLE NUMBER (see 37 CFR 1.5)

10/388587

EXPRESS MAIL # EV 695994915 US

EXPRESS MAIL DATE AUGUST 4, 2006

INTERNATIONAL APPLICATION NO. <b>PCT/US2005/003502</b>	INTERNATIONAL FILING DATE <b>FEBRUARY 4, 2005</b>	PRIORITY DATE CLAIMED <b>FEBRUARY 4, 2004</b>
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## TITLE OF INVENTION

**ANTI-FREEZE PROTEIN ENHANCED NUCLEIC ACID AMPLIFICATION**

## APPLICANT(S) FOR DO/EO/US

**RYAN SMITH WESTBERRY; LARS-ERIK PETERS; JESSICA JACLYN GREENLEE**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

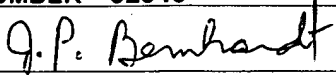
1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
  - b. ☐ had been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20. below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 included
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

U.S. APPLICATION NO. (IF KNOWN--SEE 37 CFR 1.5) <b>10/588587</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2005/003502</b>		ATTORNEY'S DOCKET NUMBER <b>34029/US/2</b>	
20. Other items or information:					
21. The following fees have been submitted:  <input checked="" type="checkbox"/> a) Basic national fee <div style="text-align: right;"><b>\$300.00</b></div>				CALCULATIONS	PTO USE ONLY
				<b>\$ 300.00</b>	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-- 4)..... <div style="text-align: right;"><b>\$100.00</b></div> All other situations..... <div style="text-align: right;"><b>\$200.00</b></div>				<b>\$ 100.00</b>	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... <div style="text-align: right;"><b>\$100.00</b></div> International Search Report prepared and provided to the Office <div style="text-align: right;"><b>\$400.00</b></div> All other situations <div style="text-align: right;"><b>\$500.00</b></div>				<b>\$ 100.00</b>	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 500.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
45 - 100	0 /50 =	0	x <b>\$250.00</b>	<b>\$ 0.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$ 0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	21 -20 =	1	x <b>\$50.00</b>	<b>\$ 50.00</b>	
Independent claims	3 -3 =	0	x <b>\$200.00</b>	<b>\$ 0.00</b>	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$360.00</b>	<b>\$ 0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 50.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				<b>\$ N/A</b>	
<b>subtotal =</b>				<b>\$ 0.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$ 0.00</b>	
<b>TOTAL national fee =</b>				<b>\$ 550.00</b>	
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				<b>\$ N/A</b>	
<b>TOTAL fees enclosed =</b>				<b>\$ 500.00</b>	
				Amount to be refunded:	\$
				charged:	\$

10/588587  
IAP11 Rec'd PCT/PTO 04 AUG 2006

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) <b>TBD</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US2005/003502</b>	ATTORNEY'S DOCKET NUMBER <b>34029/US/2</b>
<p>a. <input checked="" type="checkbox"/> A check in the amount <b>\$500.00</b> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <b>50-2319</b> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>50-2319</b> A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>		
SEND ALL CORRESPONDENCE TO: <b>CUSTOMER NUMBER 32940</b>		
<b>TODD A. LORENZ</b> Dorsey & Whitney LLP Intellectual Property Department 555 California Street Suite 1000 San Francisco, CA 94104		
Signature 		
Name <b>JEFFERY P. BERNHARDT FOR TODD A. LORENZ</b>		
Registration Number <b>54,997 FOR 39,754</b>		

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